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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. TIMOTHY BYRON KALKA, Defendant.	Criminal Case No. 07MJ2862 MOTION AND PROPOSED ORDER TO DISMISS WITHOUT PREJUDICE

MOTION TO DISMISS

COMES NOW the United States Attorney, Karen P. Hewitt, and Assistant U.S. Attorney, Peter J. Mazza, and hereby moves to dismiss, without prejudice, the complaint against the above-named defendant in the interest of justice.

DATED: January 4, 2008

Respectfully submitted,

KAREN P. HEWITT
United States Attorney

[signature]
PETER J. MAZZA
Assistant U.S. Attorney

ORDER

Upon motion of the UNITED STATES OF AMERICA and good cause appearing, IT IS HEREBY ORDERED that the complaint in criminal case number 07MJ2862 be dismissed, without prejudice, as to defendant Timothy Byron KALKA.

DATED: 1/4/07

Barbara L. Major
Honorable Barbara L. Major
United States Magistrate Judge